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BIOGRAPHICAL SKETCH

OF THE

HON. LOUIS JOSEPH PAPINEAU,

SPEAKER OF THE HOUSE OF ASSEMBLY

OF

LOWER CANADA.

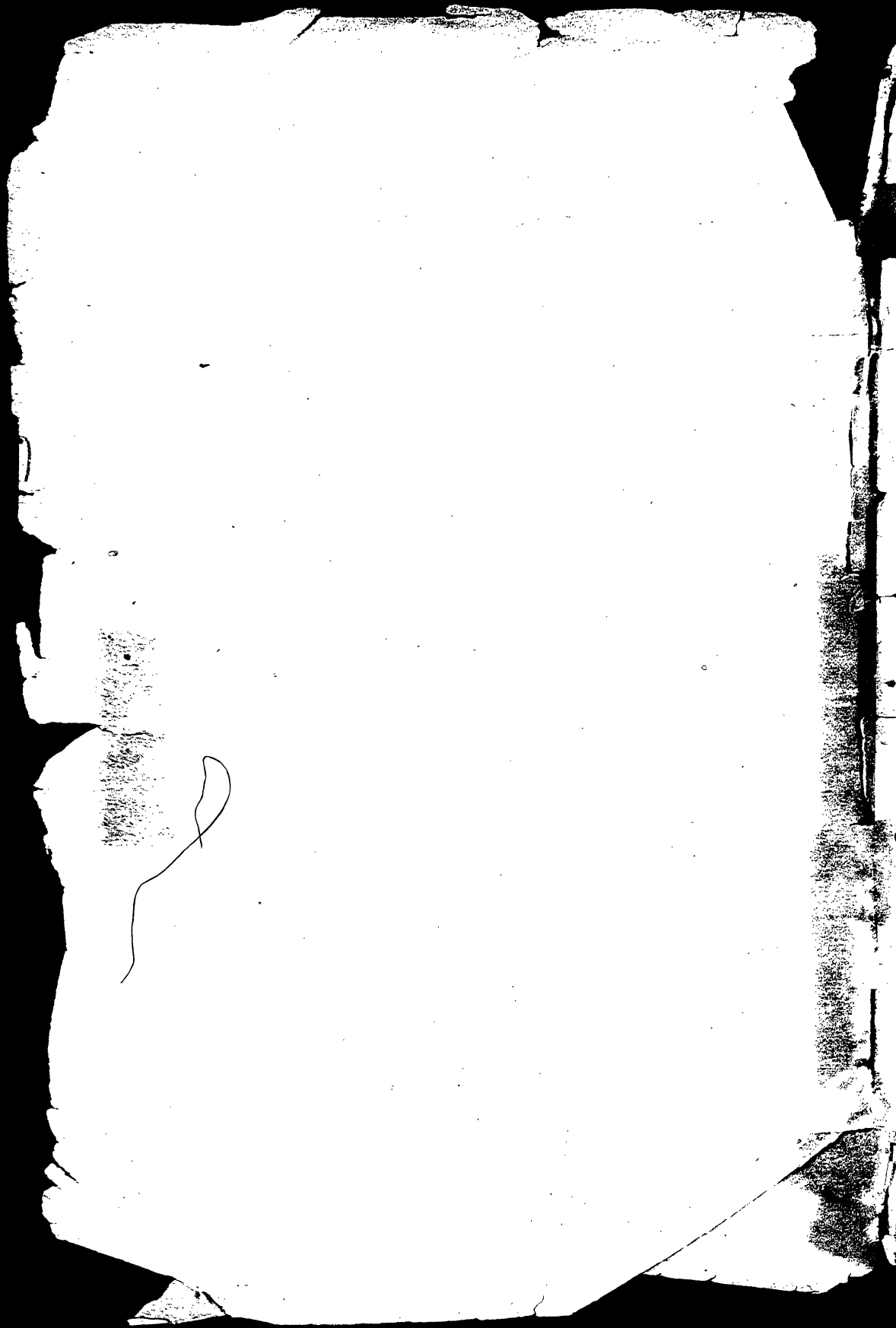
Justum et tenacem propositi virum
Non civium ardor prava jubentium,
Non vultus instantis tyranni
Mente quatit solida. * * * *

Si fractus illabatur orbis,
Impavidum ferient ruinæ.
Horace, B. 3, Ode 3.

Printed at the Sentinel Office,
SARATOGA SPRINGS.

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1838.



BIOGRAPHICAL SKETCH.

THE name of the individual who forms the subject of this brief memoir, has for many years been before the public, and is now familiar with all men's tongues. It will not, therefore, be uninteresting to the American public, to learn a few particulars of one who, by his devotion to American principles, has made himself at once dreaded by the British government, and beloved by the great mass of the people of the Canadas, where he has been, for over a quarter of a century, the steady, unpurchased and unpurchaseable champion of democracy.

LOUIS JOSEPH PAPINEAU, speaker of the house of assembly of Lower Canada, was born in the city of Montreal, in October 1789. The family had originally emigrated into Canada, towards the end of the seventeenth century, from the village of Montigny, near Bourdeaux, in the south of France.

Mr. Papineau's father, Joseph Papineau, was a notary. He is a gentleman of great respectability, and when in public life, was the most influential member of the house of assembly, in which body, he sat from the commencement of the Constitution in 1791 to 1810, or 1811. Though still in the full possession of all his faculties at the advanced age of 86, he has for many years retired into private life. This venerable patriarch is the father of the Canada constitution. To his exertions, during a series of years, previous to 1790, is that country indebted for the representative form of government, which the British parliament is now about to destroy. In his youth, he found his country abandoned to a military despotism; his countrymen without any political existence in their native land, and their lives and property at the mercy of every stranger, whom chance or patronage may have drifted on their shores. He exerted himself to procure for them that rank in the body politic, which their numbers and wealth entitled them to. He procured for them some political power, by obtaining for them the right of choosing representatives

in a colonial assembly. He has lived to see those rights destroyed, and his fellow citizens again driven back, to suffer under that despotism from which he had succeeded about half a century ago in rescuing them. In the words of Grattan, the celebrated Irish patriot, he may truly say, "I have watched by the cradle of my country, and now I follow her hearse!"

The subject of the present brief biographical sketch, was sent at an early age to Quebec to be educated at the seminary under the superintendence of the catholic clergy of that city. In the 17th century an extensive and highly respectable college was established in the city of Quebec, by the Jesuits, where the youth of the colony were educated. When Great Britain got possession of Canada, one of its first steps "for the encouragement of learning," was to expel the Jesuits, and convert this college into a *Barrack*, (to which however it still continues to be put.) The clergy were therefore obliged to raise a building for the education of the rising generation, and to this establishment Mr. Papineau was sent, to go through his studies. Here he remained until he was 17 years of age. His collegiate course being completed, he entered on the study of the law, and was called to the bar about the year 1811-12. He had however been previously elected in the year 1809, and whilst still a student at law, to represent the county of Kent, (now the county of Chambly,) after a hard contest, in which he was opposed by all the strength of the then government party. This county he represented during two parliaments, after which he went in for the west ward of Montreal, for which place he has been uninterruptedly elected for the last 20 years.

Mr. Papineau went into the assembly on the influence of his father's reputation, as an honorable and acute representative; but he soon carved out a reputation for himself. The contest be-

tween the assembly and the official party for the control of the revenues, had commenced before Mr. Papineau entered public life. On his election to the assembly, not merely did he take the popular side, but by his extensive knowledge and great eloquence, he gave new force to the demand of the assembly for a full control over the public expenditure.

In the year 1812, Mr. Papineau was the leader of the young and talented minority which endeavored, in the house of assembly, to save the province from any collision with the United States. He clearly foresaw that the best interests of Canada consisted in cultivating a close friendship with this Union, with which, by geographical position and commercial intercourse, she should naturally be more intimately connected, than with a power at the other side of the Atlantic. He saw at the same time, that all the loss, the misery and suffering which were to result from such a war, would have to be borne exclusively by Canada, whilst all the honor (if honor there should be) would belong to England. Prompted by these long-sighted and patriotic views, he attempted to save his country from all participation in that conflict, or indeed in any *English* wars. His efforts, unfortunately, were not successful. The war proceeded, and he served as a captain in the militia until the return of peace.

It was whilst serving in this capacity, that the American prisoners, after the disgraceful surrender of Gen. Hull at Detroit, were marched into Montreal. In the presence of all rules of courtesy, and to the indignation of those brave men's feelings, they were ordered to enter the latter city to the tune of Yankee Doodle—an air originally gotten up in the time of the revolution by an English officer in derision of the then unskilled, but afterwards successful militia of our country, and which was played on the occasion above referred to, to render the prisoners objects of similar ridicule and obloquy. Mr. Papineau held a captain's commission on this occasion, and had command of a company who preceded the prisoners. So indignant was he at the insult thus offered, that he wheeled out of the line and refused with a number of his men to proceed, declaring that neither himself nor his men would commingle with troops who could be guilty of conduct so reprehensible and disgusting; that his duty to his country, though at war with another power, could never require him to treat the captured soldiers of that power inhospitably or uncourtously.

In the year 1817, he was chosen speaker of the house of assembly. In 1820, Lord Dalhousie en-

tered upon the government of Lower Canada. At this time, the country was in a tolerably tranquil state, and the governor, thinking it wise to attach a man of the speaker's talents to his side, made Mr. Papineau an executive councillor. Strong feelings, it is true, had been excited by the absurd pretensions of the official party to procure a permanent civil list; a civil list for the King's life; or failing that, a vote of supplies in a lump (*en bloc*); all which schemes had been opposed by Mr. Papineau. Lord Dalhousie was a new man, and the country seemed disposed to try him. In 1821 the house carried an address on grievances, to which a *civil answer* was returned, and matters still continued to go on smoothly.

In 1822, however, this tranquility was disturbed by a proposal entertained by the imperial parliament, to unite the provinces. This measure was extremely unpopular in Lower Canada, and excited warm debates in the assembly. Throughout the country, too, the people were much excited; "constitutional committees" were formed for deprecating the intended union. Petitions were circulated and numerous signed, and deputies were appointed to proceed to England to remonstrate against the measure. The subject of our memoir was one of these deputies. His opposition to the views of the official party having, in the mean time, shewn that he could not be bought, he was dismissed, previous to his departure for England, from the executive council. The projected union was successfully opposed, and Mr. Papineau and his colleague Mr. John Neilson, on their return in 1824 were enabled to communicate to the assembly, "that the measure of an union was dropped, and that in case of its revival (and this was a most important point gained) the subject would be communicated to the colony, and time would be allowed to enable the colonists to be heard in parliament."

From the period of his return, Mr. Papineau gave up his practice at the bar, and devoted himself to his duties in the house of assembly, with a degree of ardour which has placed him in the prominent position he has long occupied. To enumerate his great services to his country, would be to enumerate his country's grievances. That is not now our object. To the administration of Lord Dalhousie, and to that of Lord Aylmer, both of which have been acknowledged to have been most oppressive and tyrannical, because those noblemen threw themselves into the arms of the officials, he was the untiring opponent. Lord Dalhousie foolishly made the matter *personal*, by refusing in 1827 to sanction the house's choice of Mr. Papineau as

speaker. His Lordship deprived him at the same time of his commission as *captain in the militia!* To make some amends for this *little* tyranny, Mr. Papineau was afterwards promoted to a majority, but this last commission he flung, in a manner in Lord Gosford's face last year, when this nobleman had the "impertinence" to demand of Mr. Papineau reasons for attending a public meeting!

In 1831, Mr. Papineau finding it hopeless to expect a reform of abuses in detail, attacked what Lord Stanley declared to be "the root of all the evil," and demanded the introduction of the elective principle into the constitution of Lower Canada. That year the house resolved that the members of the legislative council ought to be elected by the people, in the same manner as are the senators of this state. This demand was resisted by the British government, in consequence of which, the assembly drew up in 1834, the famous 92 resolutions, (of which it is understood, Mr. Papineau was for the most part the author,) and stopt the supplies.

The demand for elective institutions, arrived now to such a height, that the ministry thought it necessary to endeavor to cajole the Canadians into an abandonment of their position, and of their money. A "royal" commission, of which Lord Gosford was the imbecile head, was sent to Canada in 1835. This commission was not long in the country, when it was discovered that like the old 'Howe commission' of 1776, it was meant merely to deceive. Mr. Papineau denounced it accordingly, in the most indignant terms. It was in the course of the debate on the state of the province in 1836, that while advocating the introduction of the elective principle, he declared that "not only were republican institutions to prevail throughout the whole of this continent, but America was designed to furnish, at some future day, republics to Europe."

The royal commission having reported unfavorably on the various demands of the Canadian assembly, the British Parliament passed, in 1837, a series of resolutions, by one of which, they determined to vote away the money collected in the Province, the right to dispose of which, belonged to the representatives of the Province *alone*, by law, common sense, and the constitution.

The passage of this resolution, which, like the stamp act and tea tax, violated all principles of freedom, caused great indignation throughout the Province. Lord Gosford himself, who originally recommended the step, was "constrained to admit, that the feeling against the Imperial Parlia-

ment, authorizing the taking of the money out of the chest, is very strong." In such a crisis, all eyes were turned on Mr. Papineau. He came forward in consequence, and recommended the people to abstain every where from the use of taxed articles; to encourage domestic manufactures, and *free* trade with these states; to withdraw all confidence from the government, and those who held office under it, and finally to *elect* their own justices of the peace, and militia officers. Mr. Papineau, warm with the love of country, went in person from county to county, from one extremity of the Province to the other, preaching a crusade against the liberticide measures of the British ministry, and rousing the dormant energies of the people, into a constitutional opposition. The government affected at first to sneer at the proceedings of the people. Lord Gosford writing to the minister in May 1837, described these public meetings as "complete failures." In July he wrote that Mr. P. "was losing ground." A few months afterwards, however, he was forced to open his eyes to his error. The non consumption and non intercourse war was waged with such rigid perseverance, that a serious falling off soon became perceptible in the public revenue, and those who held commissions under the Crown resigned *by counties*. The man who but a short while before was said to be "losing ground," was now denounced by the very governor who before affected to despise his influence. He was accused in despatches to the British minister, as wishing to effect "a separation of the Province from England, and the establishment of a republican form of government," and Lord Gosford, in despair, wrote as follows to the Colonial Secretary in September: "We can now make no terms with Mr. Papineau. You must either put him down, or submit to let him put you down. There is no halting between two opinions." To crown the perfidy with which this nobleman had always acted towards the Canadian people, he recommended in the following month, (six weeks before any collision occurred) the annihilation of the Canadian constitution! Writing on the 12th October, this Castlereagh of Canada says: "The only practical course now open for conducting the affairs of the province, with any benefit to the inhabitants generally, is *at once to suspend the present constitution.*"

Shortly after having recommended this aggression on the rights of a whole people, Lord Gosford prepared to wreak vengeance on the man who had presumed to sound the tocsin of alarm, and to awaken his countrymen to the deep and damning

degradation, which was preparing for them and regarded by those possessed of irresponsible power, their posterity by the British authorities. The when they are determined on violence, persecution slavery of Canada having been decreed, it was and wrong.

deemed proper, that the ablest, the most eloquent, and the most consistent of her advocates should share the common ruin of his country. In the first week of November, a warrant for high treason was made out, for the arrest of Louis Joseph Papineau, and a "royal" proclamation issued a few days afterwards offering the sum of four thousand dollars for his capture. That Providence in whose keeping are the liberties of the human race, has preserved this champion of human rights from harm as yet; notwithstanding warrants and proclamations, which are a disgrace to civilization, Mr. Papineau still remains uncaptured.

Those who have the happiness to be citizens of these free states, and who are strangers, fortunately for themselves, to the miseries which colonists are obliged to endure, may perhaps be anxious to learn, in what consisted the *high treason* of which Mr. Papineau is accused, which should consign him and his family to ruin, and blot his country from the map. That treason consisted in assisting at public meetings—in openly addressing those who attended thereat; and calling on them to study economy, to put away all luxury and to make use of those powers which the constitution gave them for their own protection, by abstaining from the use of those articles, the consumption of which contributed to that revenue, which England is disposed of, without the consent of the people of the colony. When Lord Gosford called on the British ministry to "put down" Mr. Papineau, he admitted in the same breath, that the proceedings in Canada, "had not yet reached such a point, as to make it wise, or judicious for the executive to institute legal proceedings against any of the parties concerned" therein, and Lord Glenelg, the secretary of state for the colonies, commenting, last December, "the gradual but rapid advance of the enemies of peace and order"—as he is pleased to term those who were opposing his unconstitutional measures—is obliged to acknowledge that "the complaints were urged under the very forms of the constitution."

All this strict observance of "the very forms of the constitution," could not protect Mr. Papineau and the other gentlemen who acted with him, in defence of popular rights. They "must be put down," said Lord Gosford, and down they were put accordingly, despite of all law. So true is it, that "the very forms of the constitution," however respected they may be by the people, are but little

However violent and illegal has been the conduct of the government in Canada; however systematically unjust has been its policy towards the Canadians, and however clouded and dark may be the prospect at present, we do not despair of the final triumph of those sacred principles, for which these people are contending. Democracy, like christianity, only prospers the more, the more its followers are persecuted; and were we not encouraged by the history of nations, both on the European and American continent, there is enough in this brief sketch of Mr. Papineau's life, to foster hope and forbid despair. His father found that province a military colony—the people political serfs—military officers, judges; the law officers of the Crown in the province, unacquainted, even with the laws and the language of the people, over whom they were placed in authority, and the colonists deprived of trial by jury, and the benefit of *habeas corpus*. Thirty years afterwards, he obtained for his countrymen a representative assembly, and a voice in the making of their own laws. To extend by peaceable means the democratic principle thus recognized to the other institutions of the country, has been the constant and untiring aim of the second Papineau. For thirty years he, following the example of his venerable and patriotic father, has been educating his country, and endeavoring to accomplish his favorite and philanthropic object, and in the year 1831, we find him, with his country at his back, demanding that the people have a right to elect the second branch of their legislature. The contest between the people of Canada and the British government has terminated for the present, by the latter destroying (like Charles the Tenth of France) all popular rights, and by driving the advocates of democracy into prison or exile. The good seed which has been sown has, however, taken root—the discussions, both oral and written, of the last seven years, have educated the people, and though the British government were now to send out ten dictators, and ten times 10,000 bayonets, peace will never return to the province, nor will the Canadians ever be satisfied, until they obtain elective institutions, similar to those which have placed this great republic in the foremost rank of nations.

In person, Mr. Papineau is tall; his countenance is handsome, but stern, and his whole appearance is commanding and dignified. His manners are extremely simple and unostentatious, and

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his conversation animated, and not unfrequently playful. He is accused of being a man of ungovernable passions, but nothing can be more untrue. Mr. Papineau's indignation at wrongs suffered by his country, is a manly and honorable feeling—such as cannot but be experienced by every Canadian susceptible of a generous emotion in favor of his injured and insulted country, and which Englishmen too have known, when contemplating the vicious government which prevails in Canada. In private life, Mr. Papineau is a man of mild and amiable manners. He is courteous in the House of Assembly, and there are now even in the British parliament, many who are numbered among his country's oppressors, who could refute the calumnies respecting him.

During the thirty years which Mr. Papineau has been in public life, he has been the object of the bitter, unrelenting hatred of the enemies of the people, and his character has been assailed by defamation of every sort.

He is accused of loving money, and of making his public influence a means of increasing his wealth. No charge can be farther from the truth than this. To devote the whole of his time and talents to the service of his country, he abandoned long since, a lucrative practice. Had he continued at the bar, and supported the views of the government, instead of vindicating the rights of the people, he might to-day have been on the bench or in possession of the highest honors which the enemies of his country could bestow. He has been faithful to the people, and as a reward for his fidelity a price is set on his head!

If further proof of his respect for principle were necessary, we might cite the firmness with which he has abstained for many years, from accepting his salary as speaker of the assembly. A remuneration of \$4000 per annum was attached to this situation about 20 years ago. It formed an item in the appropriation bill, annually voted by the assembly. In the year 1832-3, the assembly of Lower Canada stopt the supplies, and has ever since refused to vote the public salaries, until the advances of which the country complained should be addressed. The British government, thereupon stepped in and took upon itself to pay the salaries which the Canadian assembly, for reasons above mentioned, refused to vote. An order was signed by the governor for the payment of Mr. Papineau's salary with the rest, but this order, for want of the money, he has constantly refused to touch for many years, inasmuch as the assembly, the only constitutional authority, had not voted it. He has

lost \$20,000 by this one act of patriotic self-denial. Indeed, so determined is he to preserve his independence in public life, that he has refused even to hold bank stock, lest his private might clash with the public interest, or the purity of his votes on questions where banks are interested might be questioned.

Mr. Papineau is said to be an enemy to trade. It is false—he is a warm friend to trade, so long as it requires no privileges injurious to the community.

What he is an enemy to is—*monopoly*. He is the enemy of all those who seek to injure the community, by means of restrictive laws in their own favor. He is only an enemy to trade in the sense that some of our most enlightened legislators are so—he is an opponent, and a powerful one too, of restriction, and commercial robbery, and hence there is a whole host of commercial jobbers ever ready to calumniate him. Mr. Papineau, in short, takes enlarged and liberal views of commercial legislation, and cannot adapt his ideas to the pinched and narrow notions of a few colonial traders, who are, for the most part, the most ignorant and selfish class of persons in her majesty's dominions.

Equally untenable is the charge of want of courage. Mr. Papineau on many occasions of severe trial has exhibited both physical and moral courage of no ordinary character. Not a session of the legislature has passed without his having received a multitude of anonymous letters, threatening him with all sorts of violence and death, if he would not change his political course and abstain from exposing the abuses which prevailed in the government. Mr. Papineau went calmly on his way, despising these threats. So strong, however, was the impression that terrorism and fright would affect what bribes, flattery and coaxing failed to accomplish, that Lord Gosford, the late governor of the province, condescended to have recourse to a despicable trick of a similar low character, with a view to influence Mr. Papineau's parliamentary conduct.

It was in the beginning of the year 1836, whilst Mr. P. was attending his legislative duties, that Lord Gosford became impatient for a vote of supplies. He imagined that the speaker was the principal obstacle to the completion of his wishes. Flattery, empty promises and emptier professions had been previously tried without avail: the appeal to Mr. Papineau's fears was then resolved on. A message from the governor was delivered to him, with a most mysterious air, whilst he was dining with one of the officials, stating that he

Lordship was *anxious* to see him *without delay*. Mr. Papineau not being in so extreme a hurry as his excellency, returned an answer that he should wait on his Lordship on the next day. He accordingly called, and the Governor began by expressing the great friendship he entertained for the gentleman with whom he was conversing; he lamented the great excitement which prevailed among the populace, and expressed an anxiety for the settlement of what was called the *financial* question—that is, the supply bill—in the hope that when money would be voted, the excitement would be allayed. He then told Mr. P., with an appearance of great alarm, that he had it from good authority that a conspiracy, or plot was in existence to assassinate him (Lord Gosford,) Mr. Papineau and another member of the assembly who was obnoxious to the tory party. Pretending much anxiety, he requested Mr. Papineau never to go abroad *alone*, and wound up by assuring him that he had no doubt but all these excitements and conspiracies would disappear *if the house of assembly would vote the supplies!*

It is unnecessary to say that Mr. Papineau treated this attempt to frighten him with contempt. He thanked his Lordship for this kind anxiety for his safety, but begged him to divest himself of all alarm on his account. He never adopted the least precaution in consequence of this communication—

pursued his course as usual—opposed the demands of the government, and refused to make any concessions until the public grievances were redressed.

Other instances of Mr. P.'s coolness and contempt of danger might be given, but our limits oblige us to be brief. The *rationale* of the accusation is easily seen through its flimsy veil. What is wanted, is, that Mr. Papineau should be seen in arms. To drive him to this, has been the wish of the colonial government. First, he was arrested; next, it was whispered that a warrant was out against him. Did the executive want possession of his person? Evidently not, or he would have been the first seized. What they wanted was to drive him into open rebellion. In this they have not succeeded. He withdrew from the town, and the official faction is now infuriated because he has not been found in open rebellion. They now taunt him with cowardice, in the hope that he will be goaded on to what they desire—herein they merely under-estimate his moral courage.

We shall now close this hastily written notice. Whatever may be the fate of Mr. Papineau, we are quite sure his future conduct will be consistent with his past life, and that he will maintain that dignity of character for which among his compatriots he is esteemed and honored.

